

ALLEGED SHIPMENT: On or about March 19, 1947, by Capital Food Co., from Washington, D. C.

PRODUCT: 12 cases of 24 2-ounce bottles, 6 cases of 36 4-ounce bottles, 8 cases of 12 8-ounce bottles, and 4 cases of 12 16-ounce bottles, of olive oil at Atlanta, Ga.

LABEL, IN PART: "Capitol Brand * * * Capital Olive Oil Co. [or "Capital Food Co."]."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of peanut oil and other oils had been substituted for olive oil, which the product was represented to be.

Misbranding, Section 403 (a), the label statements "Pure Virgin Imported Olive Oil" and "Imported Olive Oil" were false and misleading.

DISPOSITION: May 26, 1947. D. F. Antonelli and E. Torina, trading as Capital Food Co., Washington, D. C., claimants, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled, under the supervision of the Food and Drug Administration.

12387. Adulteration and misbranding of olive oil. U. S. v. 68 Bottles * * * (F. D. C. No. 22920. Sample Nos. 90324-H, 90325-H, 90966-H.)

LIBEL FILED: April 9, 1947, District of Columbia.

ALLEGED SHIPMENT: The article was held for sale by Calvert Super Market, Washington, D. C.

PRODUCT: 9 16-ounce bottles and 59 8-ounce bottles of olive oil at Washington, D. C.

LABEL, IN PART: "Capitol Brand Imported Olive Oil Capital Olive Oil Co. Washington, D. C. 16 Oz. [or "Capital Food Co. Washington, D. C. 8 Oz."]."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), (9-bottle lot) an article consisting essentially of corn oil had been substituted in whole or in part for olive oil.

Misbranding, Section 403 (a), (9-bottle lot) the label designation "Imported Olive Oil" was false and misleading; and, Section 403 (e) (2), (59-bottle lot) the label of the article failed to contain an accurate statement of the quantity of contents. (The article was short-volume.)

DISPOSITION: July 8, 1947. Default decree of condemnation. Product ordered delivered to a local public hospital.

12388. Adulteration and misbranding of Saladola. U. S. v. 8 Cases, etc. Default decree of condemnation and destruction. (F. D. C. No. 22316. Sample Nos. 74008-H, 74009-H.)

LIBEL FILED: February 28, 1947, District of New Hampshire.

ALLEGED SHIPMENT: On or about September 17, 1946, by Mercantile Food Products Co., from Boston, Mass.

PRODUCT: 8 cases, each containing 12 quart bottles, 7 cases, each containing 24 pint bottles, of Saladola at Manchester, N. H.

LABEL, IN PART: (Bottles) "Saladola Brand Pure Mineral Oil A Non-Fattening Oil (Certified Food Color Added) For the preparation of non-fattening, non-nutritive, and low calorie Dressings for Salads * * * Try this French Dressing today."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), artificial color had been added to mineral oil so as to make it appear to be salad oil, which is better and of greater value than the article.

Misbranding, Section 403 (a), the label designation "Saladola" was false and misleading since it represented and suggested that the article was salad oil, whereas it was not salad oil; Section 403 (a), the label statement "French Dressing" created the false and misleading impression that french dressing could be made with the article; and, Section 403 (a), the labeling of the article was misleading. The statement "for the preparation of non-fattening, non-nutritive, and low calorie dressings for salads," coupled with the directions for use, represented to purchasers of the article that it was wholesome and suitable for use as a substitute for food oils in preparing salads. The article was colored mineral oil and its labeling failed to reveal the material fact that the

substitution of mineral oil for food oils in preparing salads might be harmful and might have a deleterious effect.

DISPOSITION: April 11, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12389. Adulteration and misbranding of Saladola. U. S. v. 2 Cases * * *. (F. D. C. No. 22933. Sample No. 74493-H.)

LIBEL FILED: April 17, 1947, District of Massachusetts.

ALLEGED SHIPMENT: On or about February 28, 1947, by I. Pedliken, from Providence, R. I. This was a return shipment.

PRODUCT: 2 cases, each containing 24 1-pint bottles, of Saladola at Fall River, Mass. Analysis showed that the product was artificially colored mineral oil.

LABEL, IN PART: "Saladola Brand A Non-fattening Oil Pure Mineral Oil (Certified Food Color Added) This oil is for the preparation of non-fattening, non-nutritive, and low calorie Dressings for salads Packer Merchantile Food Products Co. Boston, Mass. * * * Try this French Dressing Today!"

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), artificial color had been added to mineral oil so as to make it appear to be salad oil, which is better and of greater value.

Misbranding, Section 403 (a), the label designation "Saladola" was false and misleading since it represented and suggested that the product was salad oil, and the label statement "French Dressing" was false and misleading since it falsely represented and suggested that french dressing could be made with the article. The label was misleading also since the label statement "for the preparation of non-fattening, non-nutritive, and low calorie Dressings for salads," coupled with the directions for use, represented to purchasers that the article was wholesome and suitable for use as a substitute for food oils in preparing salads, whereas the labeling failed to reveal the material fact that the substitution of mineral oil for food oil in preparing salads may be harmful and may have a deleterious effect.

DISPOSITION: June 16, 1947. No claimant having appeared, judgment of condemnation was entered and product was ordered destroyed.

12390. Adulteration of Saladola. U. S. v. 20 Bottles * * *. (F. D. C. No. 22935. Sample No. 74494-H.)

LIBEL FILED: April 17, 1947, District of Massachusetts.

ALLEGED SHIPMENT: On or about February 11, 1947, by Stop & Shop, from East Providence, R. I. This was a return shipment.

PRODUCT: 20 quart bottles of Saladola at Fall River, Mass.

LABEL, IN PART: "Saladola Brand Pure Mineral Oil A Non-Fattening Oil (Certified Food Color Added) For the preparation of non-fattening non-nutritive, and low calorie Dressings for Salads Packer Mercantile Food Products Co. Boston, Mass. * * * Try This French Dressing Today!"

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), artificial color had been added to mineral oil so as to make it appear to be salad oil.

Misbranding, Section 403 (a), the designation "Saladola" on the label was false and misleading since it represented and suggested that the product was salad oil; the label statement "French Dressing" was false and misleading since it falsely represented and suggested that french dressing could be made with the article. The labeling was misleading also in that the statement "for the preparation of nonfattening, nonnutritive and low-calorie dressings for salads," coupled with directions for use, represented to the purchaser that the product was wholesome and suitable for use as a substitute for food oils in preparing salads, whereas the article was colored mineral oil and its labeling failed to reveal the material fact that the substitution of mineral oil for food oils in preparing salads may be harmful and may have a deleterious effect.

DISPOSITION: June 16, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12391. Misbranding of mayonnaise. U. S. v. 314 Cases * * *. (F. D. C. No. 22809. Sample No. 54423-H.)

LIBEL FILED: April 2, 1947, Middle District of Georgia.